

Regulatory Language

Section 1.91, Title 14, CCR, is amended to read:

1.91. Federal Groundfish and Rockfish, Cabezon and Greenling (RCG) Complex.

(a) The species or species groups listed in subsections 1.91(a)(1) through 1.91(a)(12) constitute "federal groundfish" and are managed under the Federal Pacific Coast Groundfish Fishery Management Plan:

- (1) "Nearshore Rockfish," which means the following species of rockfish: black rockfish (*Sebastes melanops*), black and yellow rockfish (*S. chrysomelas*), blue rockfish (*S. mystinus*), brown rockfish (*S. auriculatus*), calico rockfish (*S. dalli*), China rockfish (*S. nebulosus*), copper rockfish (*S. caurinus*), gopher rockfish (*S. carnatus*), grass rockfish (*S. rastrelliger*), kelp rockfish (*S. atrovirens*), olive rockfish (*S. serranoides*), quillback rockfish (*S. maliger*), treefish (*S. serriceps*)
- (2) "California Scorpionfish" (*Scorpaena guttata*)
- (3) "Shelf Rockfish" which means the following species of rockfish: bocaccio (*Sebastes paucispinis*), bronzespotted rockfish (*S. gilli*), canary rockfish (*S. pinniger*), chilipepper (*S. goodei*), cowcod (*S. levis*), dusky rockfish (*S. ciliatus*), flag rockfish (*S. rubrivinctus*), greenblotched rockfish (*S. rosenblatti*), greenspotted rockfish (*S. chlorostictus*), greenstriped rockfish (*S. elongates*), harlequin rockfish (*S. variegates*), honeycomb rockfish (*S. umbrosus*), Mexican rockfish (*S. macdonaldi*), pink rockfish (*S. eos*), redstripe rockfish (*S. proriger*), rosethorn rockfish (*S. helvomaculatus*), rosy rockfish (*S. rosaceus*), shortbelly rockfish (*S. jordani*), silvergray rockfish (*S. brevispinis*), speckled rockfish (*S. ovalis*), squarespot rockfish (*S. hopkinsi*), starry rockfish (*S. constellatus*), stripetail rockfish (*S. saxicola*), tiger rockfish (*S. nigrocinctus*), vermilion rockfish (*S. miniatus*), widow rockfish (*S. entomelas*), yelloweye rockfish (*S. ruberrimus*), yellowtail rockfish (*S. flavidus*)
- (4) "Slope Rockfish" which means the following species of rockfish: aurora rockfish (*Sebastes aurora*), bank rockfish (*S. rufus*), blackgill rockfish (*S. melanostomus*), darkblotched rockfish (*S. crameri*), Pacific ocean perch (*S. alutus*), redbanded rockfish (*S. babcocki*), roughey rockfish (*S. aleutianus*), sharpchin rockfish (*S. zacentrus*), shortraker rockfish (*S. borealis*), splitnose rockfish (*S. diploproa*), yellowmouth rockfish (*S. reedi*)
- (5) "Sharks", including only leopard shark (*Triakis semifasciata*), soupfin shark (*Galeorhinus zyopterus*), and spiny dogfish (*Squalus acanthias*)
- (6) "Skates", including only big skate (*Raja binoculata*), California skate (*R. inornata*), and longnose skate (*R. rhina*)
- (7) "Roundfish", including only cabezon (*Scorpaenichthys marmoratus*), kelp greenling (*Hexagrammos decagrammus*), lingcod (*Ophiodon elongates*), Pacific cod (*Gadus macrocephalus*), Pacific whiting (*Merluccius productus*), and sablefish (*Anoplopoma fimbria*)
- (8) "Thornyheads", which means longspine thornyhead (*Sebastolobus altivelis*), and shortspine thornyhead (*Sebastolobus alascanus*)
- (9) "Federally Managed Flatfish", including only arrowtooth flounder (arrowtooth turbot) (*Atheresthes stomias*), Dover sole (*Microstomus pacificus*), English sole

(*Parophrys vetulus*), and petrale sole (*Eopsetta jordani*), and starry flounder (*Platichthys stellatus*).

(10) "Other Flatfish", including only butter sole (*Isopsetta isolepis*), curlfin sole (*Pleuronichthys decurrens*), flathead sole (*Hippoglossoides elassodon*), Pacific sanddab (*Citharichthys sordidus*), rex sole (*Glyptocephalus zachirus*), rock sole (*Lepidopsetta bilineata*), and sand sole (*Psettichthys melanostictus*) and starry flounder (*Platichthys stellatus*).

(11) "Other fish", including only ratfish (*Hydrolagus colliei*), finescale codling (*Antimora microlepis*), and Pacific rattail (*Coryphaenoides acrolepis*)

(12) All genera and species of the family Scorpaenidae that occur off California and not specifically listed in (a)(1) through (a)(4) or (a)(8) above are included in the list of species.

(b) "RCG Complex" means all species of rockfish (*Sebastes*), cabezon (*Scorpaenichthys marmoratus*), and kelp and rock greenlings (genus *Hexagrammos*).

NOTE:

Authority cited: Sections 200, 202, 7071 and 8587.1, Fish and Game Code.

Reference: Sections 205, 7071 and 8586, Fish and Game Code.

Section 27.20, Title 14, CCR

(Delete old heading, and authority and reference citations.)

Section 27.20, Title 14, CCR, is added to read:

§27.20. Groundfish Management Areas, Seasons, Depths, Exceptions, and Fishery Closure/Rule Change Process Described.

Regulations that follow in sections 27.25 through 27.50 define fishing seasons and depth constraints that are effective within each Groundfish Management Area. These sections apply to take and possession of all 90 species of federally-managed groundfish as defined in Section 1.91. (These species include but are not limited to rockfish, cabezon, lingcod, California scorpionfish, kelp greenling, and some species of sharks, skates and flatfish). Special closures and exceptions to these regulations are also specified. All regulations of sections 27.25 through 27.50 also apply for California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos*, which are state-managed species known to associate with federal groundfish.

(a) A depth constraint means that during the open season, the aforementioned species may only be taken or possessed in water depths shallower than the specified general depth contour lines, or alternatively, in waters shoreward of lines approximating a particular depth contour, defined by connecting the appropriate set of waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G).

(b) During any open season in any Groundfish Management Area, in waters deeper than where fishing is authorized, it is unlawful to take or possess the aforementioned species unless a special exception is provided. However, this regulation does not apply in cases where these species are possessed aboard vessels in transit with no

fishing gear in the water.

(c) During any closed season in any Groundfish Management Area, it is unlawful to take or possess the aforementioned species regardless of depth, unless a special exception is provided.

(d) Within any Groundfish Management Area, waters that are closed for these species during specified times and/or closed in specified depths shall be known as the California Rockfish Conservation Area. See Section 27.51.

(e) Fishery closure and/or rule change: When the department determines, based on the best available scientific information, that an annual harvest limit [optimum yield (OY), recreational harvest guideline, or recreational harvest target] established in regulation by the NOAA Fisheries (National Marine Fisheries Service) for any species of federally-managed groundfish or aggregate group of federal groundfish species has been exceeded or is projected to be exceeded prior to the end of the year or that catches are less than predicted, the following rule changes may occur:

(1) The department may modify the seasons and/or depth constraints for any species of federally-managed groundfish or aggregate group of federal groundfish species, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos*. Season and/or depth modifications may differ by Groundfish Management Area, mode of fishing, or gear utilized.

(2) The department may adjust existing bag or sub-bag limits or establish additional bag or sub-bag limits as needed for any species of federally-managed groundfish or aggregate group of federal groundfish species, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos*. Bag limits may differ by Groundfish Management Area, time of year, mode of fishing, or gear utilized.

(3) The department may adjust existing size limits or establish additional size limits as needed for any species of federally-managed groundfish or aggregate group of federal groundfish species, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos*. Size limits may differ by Groundfish Management Area, time of year, mode of fishing, or gear utilized.

(f) Notice of closure and/or rule change: The department shall give the public and the National Marine Fisheries Service no less than 10 calendar days' notice of any fishery closure or rule change implemented pursuant to this Section via a department news release. Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

NOTE:

Authority cited: Sections 200, 202, 7071 and 8587.1, Fish and Game Code.

Reference: Sections 205, 7071 and 8586, Fish and Game Code; and 50 C.F.R. 660, Subpart G.

Section 27.25, Title 14, CCR

(Delete old heading, and authority and reference citations.)

Section 27.25, Title 14, CCR, is added to read:

§27.25. Northern Groundfish Management Area.

This Section applies to take and possession of all 90 species of federally-managed groundfish, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos* in the Northern Groundfish Management Area. Federal groundfish include, but are not limited to, rockfish, cabezon, lingcod, California scorpionfish, kelp greenling, and some species of sharks, skates and flatfish. For specific definitions, applicability, and procedures, see sections 1.91 and 27.20. For size limits, possession limits, and other regulations that apply to individual species, see specific sections beginning with Section 27.60.

(a) The Northern Groundfish Management Area means ocean waters between 42°00'N. lat. (the Oregon/California border) and 40°10'N. lat. (near Cape Mendocino, Humboldt County).

(b) Seasons and depth constraints (except as provided in (c) below):

(1) January through April: Closed.

(2) May through November: Open for all species only in waters shoreward of lines approximating the 30-fathom depth contour, defined by connecting the set of 30-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G).

(3) December: Open for all species, except for lingcod, only in waters shoreward of lines approximating the 30-fathom depth contour, defined by connecting the set of 30-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G). Lingcod may not be taken or possessed.

(c) Special exceptions to subsection (b) above:

(1) "Other Flatfish" as defined in subsection 1.91(a)(10), which include Pacific sanddabs, may be taken or possessed in all depths all year, except that when fishing in times or areas closed under subsection (b) above, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.

(2) Leopard shark may be taken or possessed in Humboldt Bay all year.

(3) When angling from shore (includes beaches, banks, piers, jetties, breakwaters, docks, and other man-made structures connected to the shore), all species may be taken or possessed all year, except lingcod may not be taken or possessed under this provision during the months of January, February, March and December. No vessel or watercraft (motorized or non-motorized) may be used to assist in taking or possessing these species while angling from shore under this provision.

(4) When diving or spearfishing, as authorized in Section 28.90, all species may be taken or possessed all year, except lingcod may not be taken or possessed under this provision during the months of January, February, March, and December. Except for spearfishing gear, all other types of fishing gear are prohibited to be aboard the vessel or watercraft (motorized or non-motorized) while spearfishing for the purpose of taking or possessing these species under this provision.

NOTE:

Authority cited: Sections 200, 202, and 205, Fish and Game Code. Reference: Sections 200, 202 and 205, Fish and Game Code, and 50 CFR Part 660, Subpart G.

Section 27.30, Title 14, CCR

(Delete old heading, and authority and reference citations.)

Section 27.30, Title 14, CCR, is added to read:

§27.30. North-Central Groundfish Management Area.

This Section applies to take and possession of all 90 species of federally-managed groundfish, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos* in the North-Central Groundfish Management Area. Federal groundfish include, but are not limited to, rockfish, cabezon, lingcod, California scorpionfish, kelp greenling, and some species of sharks, skates and flatfish. For specific definitions, applicability, and procedures, see sections 1.91 and 27.20. For size limits, possession limits, and other regulations that apply to individual species, see specific sections beginning with Section 27.60.

(a) The North-Central Groundfish Management Area means ocean waters between 40°10'N. lat. (near Cape Mendocino, Humboldt County) and 37°11'N. lat. (at Pigeon Point, San Mateo County).

(b) Seasons, depth constraints, and special closure areas (except as provided in (c) below):

(1) January through May: Closed.

(2) June through November: Open for all species only in waters shoreward of lines approximating the 30-fathom depth contour, defined by connecting the set of 30-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G).

(3) December: Closed.

(4) Waters shallower than 10 fathoms in depth as described by general depth contour lines around the Farallon Islands (off San Francisco and San Mateo counties), including Southeast Farallon Island, Middle Farallon Island, North Farallon Island and Noon Day Rock are closed to fishing for these species at all times. Special exceptions provided for "other flatfish" in subsection (c)(1), shore-based angling in subsection (c)(3) and spearfishing/diving in subsection (c)(4) below do not apply in this closure area.

(5) Waters of the Cordell Bank (off Marin County) shallower than 100 fathoms in depth as approximated by the 100-fathom depth contour that is defined by connecting the set of 100-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G), are closed to fishing for these species at all times. Special exceptions provided for shore-based angling in subsection (c)(3) and spearfishing/diving in subsection (c)(4) below do not apply in this closure area.

(c) Special exceptions to subsection (b) above:

(1) "Other Flatfish" as defined in subsection 1.91(a)(10), which include Pacific sanddabs, may be taken or possessed in all depths all year, except that when fishing in times or areas closed under subsection (b) above, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the

shank.

(2) Leopard shark may be taken or possessed in Drake's Estero Bay, Bolinas Bay, Tomales Bay, Bodega Harbor, and San Francisco Bay all year.

(3) When angling from shore (includes beaches, banks, piers, jetties, breakwaters, docks, and other man-made structures connected to the shore), all species may be taken or possessed all year, except lingcod may not be taken or possessed under this provision during the months of January, February, March and December. No vessel or watercraft (motorized or non-motorized) may be used to assist in taking or possessing these species while angling from shore under this provision.

(4) When diving or spearfishing, as authorized in Section 28.90, all species may be taken or possessed all year, except lingcod may not be taken or possessed under this provision during the months of January, February, March, and December. Except for spearfishing gear, all other types of fishing gear are prohibited to be aboard the vessel or watercraft (motorized or non-motorized) while spearfishing for the purpose of taking or possessing these species under this provision.

NOTE:

Authority cited: Sections 200, 202, and 205, Fish and Game Code. Reference: Sections 200, 202 and 205, Fish and Game Code, and 50 CFR Part 660, Subpart G.

Section 27.35, Title 14, CCR

(Delete old heading, and authority and reference citations.)

Section 27.35, Title 14, CCR, is added to read:

§27.35. Monterey South-Central Groundfish Management Area.

This Section applies to take and possession of all 90 species of federally-managed groundfish, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos* in the Monterey South-Central Groundfish Management Area. Federal groundfish include, but are not limited to, rockfish, cabezon, lingcod, California scorpionfish, kelp greenling, and some species of sharks, skates and flatfish. For specific definitions, applicability, and procedures, see sections 1.91 and 27.20. For size limits, possession limits, and other regulations that apply to individual species, see specific sections beginning with Section 27.60.

(a) The Monterey South-Central Groundfish Management Area means ocean waters between 37°11'N. lat. (at Pigeon Point, San Mateo County) and 36°00'N. lat. (near Lopez Point, Monterey County).

(b) Seasons and depth constraints (except as provided in (c) below):

(1) January through April: Closed.

(2) May through November: Open for all species only in waters shoreward of lines approximating the 40-fathom depth contour, defined by connecting the set of 40-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G).

(3) December: Closed.

(c) Special exceptions to subsection (b) above:

(1) "Other Flatfish" as defined in subsection 1.91(a)(10), which include Pacific sanddabs, may be taken or possessed in all depths all year, except that when fishing in times or areas closed under subsection (b) above, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.

(2) Leopard shark may be taken or possessed in Elkhorn Slough all year.

(3) When angling from shore (includes beaches, banks, piers, jetties, breakwaters, docks, and other man-made structures connected to the shore), all species may be taken or possessed all year, except lingcod may not be taken or possessed under this provision during the months of January, February, March and December. No vessel or watercraft (motorized or non-motorized) may be used to assist in taking or possessing these species while angling from shore under this provision.

(4) When diving or spearfishing, as authorized in Section 28.90, all species may be taken or possessed all year, except lingcod may not be taken or possessed under this provision during the months of January, February, March, and December. Except for spearfishing gear, all other types of fishing gear are prohibited to be aboard the vessel or watercraft (motorized or non-motorized) while spearfishing for the purpose of taking or possessing these species under this provision.

NOTE:

Authority cited: Sections 200, 202, and 205, Fish and Game Code. Reference: Sections 200, 202 and 205, Fish and Game Code, and 50 CFR Part 660, Subpart G.

Section 27.40, Title 14, CCR

(Delete old heading, and authority and reference citations.)

Section 27.40, Title 14, CCR, is added to read:

§27.40. Morro Bay South-Central Groundfish Management Area.

This Section applies to take and possession of all 90 species of federally-managed groundfish, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos* in the Morro Bay South-Central Groundfish Management Area.

Federal groundfish include, but are not limited to, rockfish, cabezon, lingcod, California scorpionfish, kelp greenling, and some species of sharks, skates and flatfish. For specific definitions, applicability, and procedures, see sections 1.91 and 27.20. For size limits, possession limits, and other regulations that apply to individual species, see specific sections beginning with Section 27.60.

(a) The Morro Bay South-Central Groundfish Management Area means ocean waters between 36°00'N. lat. (near Lopez Point, Monterey County) and 34°27'N. lat. (at Point Conception, Santa Barbara County).

(b) Seasons and depth constraints (except as provided in (c) below):

(1) January through April: Closed.

(2) May through November: Open for all species only in waters shoreward of lines approximating the 40-fathom depth contour, defined by connecting the set of 40-

fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G).

(3) December: Closed.

(c) Special exceptions to subsection (b) above:

(1) "Other Flatfish" as defined in subsection 1.91(a)(10), which include Pacific sanddabs, may be taken or possessed in all depths all year, except that when fishing in times or areas closed under subsection (b) above, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.

(2) When angling from shore (includes beaches, banks, piers, jetties, breakwaters, docks, and other man-made structures connected to the shore), all species may be taken or possessed all year, except lingcod may not be taken or possessed under this provision during the months of January, February, March and December. No vessel or watercraft (motorized or non-motorized) may be used to assist in taking or possessing these species while angling from shore under this provision.

(3) When diving or spearfishing, as authorized in Section 28.90, all species may be taken or possessed all year, except lingcod may not be taken or possessed under this provision during the months of January, February, March, and December. Except for spearfishing gear, all other types of fishing gear are prohibited to be aboard the vessel or watercraft (motorized or non-motorized) while spearfishing for the purpose of taking or possessing these species under this provision.

NOTE:

Authority cited: Sections 200, 202, and 205, Fish and Game Code. Reference: Sections 200, 202 and 205, Fish and Game Code, and 50 CFR Part 660, Subpart G.

Section 27.45, Title 14, CCR

(Delete old heading, and authority and reference citations.)

Section 27.45, Title 14, CCR, is added to read:

§27.45. Southern Groundfish Management Area.

This Section applies to take and possession of all 90 species of federally-managed groundfish, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos* in the Southern Groundfish Management Area. Federal groundfish include, but are not limited to, rockfish, cabezon, lingcod, California scorpionfish, kelp greenling, and some species of sharks, skates and flatfish. For specific definitions, applicability, and procedures, see sections 1.91 and 27.20. For size limits, possession limits, and other regulations that apply to individual species, see specific sections beginning with Section 27.60.

(a) The Southern Groundfish Management Area means ocean waters between 34°27'N. lat. (at Point Conception, Santa Barbara County) and the U.S./Mexico border, except for waters of the Cowcod Conservation Areas, which are specified in Section 27.50. The Cowcod Conservation Areas are not part of the Southern

Groundfish Management Area.

(b) Seasons and depth constraints (except as provided in (c) below):

(1) January and February: Closed, except California scorpionfish may be taken or possessed only in waters shoreward of lines approximating the 40-fathom depth contour, defined by connecting the set of 40-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G).

(2) March: Open for all species, except for lingcod, only in waters shoreward of lines approximating the 60-fathom depth contour, defined by connecting the set of 60-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G). Lingcod may not be taken or possessed.

(3) April through November: Open for all species only in waters shoreward of lines approximating the 60-fathom depth contour, defined by connecting the set of 60-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G).

(4) December: Open for all species, except for lingcod, only in waters shoreward of lines approximating the 60-fathom depth contour, defined by connecting the set of 60-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G). Lingcod may not be taken or possessed.

(c) Special exceptions to subsection (b) above:

(1) "Other Flatfish" as defined in subsection 1.91(a)(10), which include Pacific sanddabs, may be taken or possessed in all depths all year, except that when fishing in times or areas closed under subsection (b) above, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.

(2) Leopard shark may be taken or possessed in Newport Bay, Alamitos Bay, Mission Bay, and San Diego Bay all year.

(3) When angling from shore (includes beaches, banks, piers, jetties, breakwaters, docks, and other man-made structures connected to the shore), all species may be taken or possessed all year, except lingcod may not be taken or possessed under this provision during the months of January, February, March and December. No vessel or watercraft (motorized or non-motorized) may be used to assist in taking or possessing these species while angling from shore under this provision.

(4) When diving or spearfishing, as authorized in Section 28.90, all species may be taken or possessed all year, except lingcod may not be taken or possessed under this provision during the months of January, February, March, and December. Except for spearfishing gear, all other types of fishing gear are prohibited to be aboard the vessel or watercraft (motorized or non-motorized) while spearfishing for the purpose of taking or possessing these species under this provision.

NOTE:

Authority cited: Sections 200, 202, and 205, Fish and Game Code. Reference: Sections 200, 202 and 205, Fish and Game Code, and 50 CFR Part 660, Subpart G.

Section 27.50, Title 14, CCR

(Delete old heading, and authority and reference citations.)

Section 27.50, Title 14, CCR, is added to read:

§27.50. Cowcod Conservation Areas.

This Section applies to take and possession of all 90 species of federally-managed groundfish, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos* in the Cowcod Conservation Areas. The Cowcod Conservation Areas are special Groundfish Management Areas where sport fishing regulations for these species are designed to minimize interaction with cowcod. Federal groundfish include, but are not limited to, rockfish, cabezon, lingcod, California scorpionfish, kelp greenling, and some species of sharks, skates and flatfish. For specific definitions, applicability, and procedures, see sections 1.91 and 27.20. For size limits, possession limits, and other regulations that apply to individual species, see specific sections beginning with Section 27.60.

(a) The Cowcod Conservation Areas are defined as ocean waters off southern California within each of the following two areas. Area 1 is an area south of Point Conception that is bound by straight lines connecting the following points in the order listed:

33°50'N. lat., 119°30'W. long.;

33°50'N. lat., 118°50'W. long.;

32°20'N. lat., 118°50'W. long.;

32°20'N. lat., 119°37'W. long.;

33°00'N. lat., 119°37'W. long.;

33°00'N. lat., 119°53'W. long.;

33°33'N. lat., 119°53'W. long.;

33°33'N. lat., 119°30'W. long.;

33°50'N. lat., 119°30'W. long.; and Area 2 is a smaller area west of San Diego that is bound by straight lines connecting the following points in the order listed:

32°42'N. lat., 118°02'W. long.;

32°42'N. lat., 117°50'W. long.;

32°36'42"N. lat., 117°50'W. long.;

32°30'N. lat., 117°53'30"W. long.;

32°30'N. lat., 118°02'W. long.;

32°42'N. lat., 118°02'W. long.;

(b) Seasons and depth constraints (except as provided in (c) below):

(1) January and February: Closed, except California scorpionfish may be taken or possessed only in waters shallower than 20 fathoms in depth, as described by general depth contour lines.

(2) March: Open for only the species or species groups listed in (A) through (F) below, and only in waters shallower than 20 fathoms in depth as described by general depth contour lines.

(A) Nearshore rockfish, as defined in subsection 1.91(a)(1)

(B) Cabezon

(C) California scorpionfish

(D) Greenlings of the genus *Hexagrammos*

(E) California sheephead

(F) Ocean whitefish

(3) April through November: Open for only the species or species groups listed in (A) through (G) below, and only in waters shallower than 20 fathoms in depth as described by general depth contour lines.

(A) Nearshore rockfish, as defined in subsection 1.91(a)(1)

(B) Cabezon

(C) California scorpionfish

(D) Greenlings of the genus *Hexagrammos*

(E) California sheephead

(F) Ocean whitefish

(G) Lingcod

(4) December: Open for only the species or species groups listed in (A) through (F) below, and only in waters shallower than 20 fathoms in depth as described by general depth contour lines.

(A) Nearshore rockfish, as defined in subsection 1.91(a)(1)

(B) Cabezon

(C) California scorpionfish

(D) Greenlings of the genus *Hexagrammos*

(E) California sheephead

(F) Ocean whitefish

(c) Special exceptions to subsection (b) above:

(1) "Other Flatfish" as defined in subsection 1.91(a)(10), which include Pacific sanddabs, may be taken or possessed in all depths all year, except that when fishing in times or areas closed under subsection (b) above, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.

(2) When angling from shore (includes beaches, banks, piers, jetties, breakwaters, docks, and other man-made structures connected to the shore), only the species identified in (b)(3) above may be taken or possessed all year, except lingcod may not be taken or possessed under this provision during the months of January, February, March and December. No vessel or watercraft (motorized or non-motorized) may be used to assist in taking or possessing these species while angling from shore under this provision.

(3) When diving or spearfishing, as authorized in Section 28.90, only the species identified in (b)(3) above may be taken or possessed all year, except lingcod may not be taken or possessed under this provision during the months of January, February, March, and December. Except for spearfishing gear, all other types of fishing gear are prohibited to be aboard the vessel or watercraft (motorized or non-motorized) while spearfishing for the purpose of taking or possessing these species under this provision.

NOTE:

Authority cited: Sections 200, 202, and 205, Fish and Game Code. Reference:

Sections 200, 202 and 205, Fish and Game Code, and 50 CFR Part 660, Subpart G.

Section 27.51, Title 14, CCR

(Delete old heading, and authority and reference citations.)

Section 27.83 is amended and renumbered:

§27.83-27.51. California Rockfish Conservation Area

California Rockfish Conservation Area (CRCA) means the ocean waters that are closed to recreational groundfish fishing at specified times, or closed in specified depths or areas. CRCAs serve to minimize interaction with particular species of overfished groundfish that cannot be selectively avoided and thus must be protected from overharvest by closing times, depths or areas to recreational fishing for all federally-managed groundfish and associated species (limited to California sheephead, greenlings of the genus *Hexagrammos*, and ocean whitefish) managed by California. See Section 27.20.

(a) In the CRCA, take and possession is prohibited for all 90 species of federally-managed groundfish as defined in Section 1.91. These species include but are not limited to rockfish, cabezon, lingcod, California scorpionfish, kelp greenling, and some species of sharks, skates and flatfish. Take and possession of California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos*, which are state-managed species known to associate with federal groundfish, is also prohibited.

(b) This regulation does not apply in cases where these species are possessed aboard vessels in transit with no fishing gear in the water.

~~Restrictions on the use of fishing gear in the CRCA and Cowcod Conservation Areas (CCAs, defined in subsection 27.82(d)) serve to minimize interaction with groundfish and associated species when fishing for non-groundfish species. Restrictions described in this Section do not apply to vessels transiting the CRCA or CCAs with no fishing gear deployed in the water.~~

~~(a) Species Restrictions. Unless specifically authorized in subsections 27.82(c) or (d), no species of federal groundfish (as defined in Section 1.91 including rockfish, cabezon, lingcod, and California scorpionfish), greenlings of the genus *Hexagrammos*, California sheephead, or ocean whitefish may be targeted, taken, or possessed in the CRCA or CCAs.~~

~~(b) Gear restrictions. When fishing in the CRCA and CCAs, not more than one hook or more than six ounces of weight may be used on a single line, except as provided:~~

~~(1) Salmon (as defined in Section 1.73) – fishing for salmon is subject to gear restrictions specified in Sections 27.80 and 28.65.~~

~~(2) Coastal pelagic species (as defined in Section 1.39) – Up to 12 No. 2 or smaller hooks and up to 2 pounds of weight may be used when fishing for coastal pelagic species. When fishing for squid, there is no limit of the number of squid jigs that may be used on a single line. A No. 2 hook means a fishing hook with a gap between the hook point and the shank at its closest point of 7/16 inch. A squid jig means a multi-pronged barbless hook with a 2-3 inch long, 1/4 to 3/4 inch thick, sometimes brightly-colored shank commonly used to catch coastal pelagic species.~~

~~(3) Highly migratory species (as defined in Section 1.49), California halibut~~

~~(Paralichthys californicus), and yellowtail (Seriola lalandi) — Up to 2 hooks and up to 1 pound of weight may be used when drifting for these species.~~

~~(4) Sanddabs and federal groundfish that are other flatfish (as defined in subsection 1.91(a)(10)) — Up to 12 No. 2 or smaller hooks and up to 2 pounds of weight may be used when fishing for these species. A No. 2 hook means a fishing hook with a gap between the hook point and the shank at its closest point of 7/16 inch.~~

~~(5) An additional hook (sliding or fixed) and downriggers with up to 5 pounds of weight may be used when trolling for species other than salmon. A downrigger means a device used to deploy one or more fishing lines (via a spool, davit, main line, and terminal weight) each with a terminal hook or lure to a desired depth in the water column and that uses a clip to hold each fishing line in place until a fish takes the terminal hook or lure at which time the fishing line pulls free of the clip.~~

~~(6) When fishing in the CRCA from shore under authority of subsection 27.82(c)(3), the gear requirements of this subsection do not apply.~~

~~(c) Spearfishing (as defined in Section 1.76). When spearfishing for groundfish and associated species in the CRCA under authority of subsection 27.82(c)(4), gear requirements of that subsection apply. If spearfishing for non-groundfish species, no special gear requirements apply.~~

NOTE:

Authority: Section 205, Fish and Game Code. Reference: Sections 200, 202 and 215, Fish and Game Code, and 50 CFR Part 660, Subpart G.

Section 27.60, Title 14, CCR, is amended to read:

§27.60. Limit.

(a) General. No more than 20 finfish in combination of all species with not more than 10 of any one species, may be taken or possessed by any one person except as otherwise provided or as defined in subsection (e) below or in Section 195. (See Sections sections 27.70 through 28.62 for minimum size limits and poundage restrictions for certain species.)

(b) Within the overall bag limit of 20 fish with not more than 10 of any one species, the following special limits apply:

(1) Federal groundfish (as defined in Section 1.91) and species associated with federal groundfish (limited to greenlings of the genus *Hexagrammos*, California sheephead, and ocean whitefish):

(A) Rockfish, Cabezon, and Greenling complex (RCG complex), as defined in subsection 1.91(b) — 10 fish in total (also see Sections 27.82, sections 28.28, 28.29 and 28.55). Within the 10-fish RCG complex limit, the following sub-limits also apply: cabezon — one fish, greenlings of the genus *Hexagrammos* — ~~one~~ two fish, bocaccio — one fish, except in the Northern Rockfish and Lingcod Groundfish Management Area (as defined in Section 27.25 subsection 27.82(a)) where the sub-limit is two fish, canary rockfish — zero fish, cowcod — zero fish, and yelloweye rockfish — zero fish. For seasons and depth constraints that apply to the RCG complex in specific areas, see sections 27.20 through 27.50. Additional species

restrictions apply for the Cowcod Conservation Areas (see sections 27.50 and 28.55).

(B) For species of federal groundfish that are not part of the ~~Rockfish, Cabezon, and Greenling complex (RCG complex, see subsection (a)(1)(A) above), RCG complex~~ (see subsection (b)(1)(A) above), the following special limits apply: California scorpionfish — five fish (see ~~Sections 27.82 and~~ Section 28.54), leopard shark — three fish (see Section 28.56), lingcod — two fish (see ~~Sections 27.82 and~~ Section 28.27), and soupfin shark — one fish (see Section 28.51). For seasons and depth constraints that apply to all federal groundfish, see sections 27.20 through 27.50. See subsection (d) below for federal groundfish species with no limits.

(C) ~~For species associated with federal groundfish that are not part of the Rockfish, Cabezon, and Greenling complex (RCG complex, see subsection (a)(1)(A) above),~~ the following special limits apply: California sheephead — five fish (see Section 28.26).

(D) Bag and possession limits for all species of federal groundfish ~~(as defined in Section 1.91, including rockfish, cabezon, lingcod, and California scorpionfish),~~ greenlings of the genus *Hexagrammos*, California sheephead, and ocean whitefish may be changed during the year or in-season by the department under the authority of subsection ~~27.82(e).~~ 27.20(e). The department will provide a news release notifying the public 10 calendar days in advance of a change to ~~daily bag~~ bag and possession limits for these species made under the authority of subsection ~~27.82(e).~~ 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

(2) For species other than federal groundfish ~~(as defined in Section 1.91) and species associated with federal groundfish (limited to greenlings of the genus *Hexagrammos*, California sheephead, and ocean whitefish),~~ and associated species (see subsection 27.60(b)(1)), within the overall bag limit of 20 fish, the following special limits apply:

<i>Zero fish (Prohibited)</i>	<i>One fish</i>	<i>Two fish</i>	<i>Three Fish</i>	<i>Five Fish</i>
giant (black) sea bass (except as provided in Section 28.10)	sturgeon (see Section 27.90)	salmon (except as provided in Section 27.80)	trout taken from ocean and bays (see Section 27.70)	In San Francisco and San Pablo bays only, the surfperch daily bag limit is five fish in the aggregate. See Section 28.59 and subsection 27.60(c) for other surfperch bag limits.
Garibaldi (see Section 28.05)	Pacific halibut (see Section 28.20)	striped bass (see Section 27.85)	white seabass (except as provided in	California halibut (except as provided in Section 28.15)

			Section 28.35)	
gulf grouper (see Section 28.12)	marlin (see Section 28.50)	broadbill swordfish (see Section 28.40)		
broomtail grouper (see Section 28.12)	sevengill shark	blue shark		
white shark (see Section 28.06)	sixgill shark	thresher shark		
		shortfin mako shark		

(c) Special daily bag limits for shiner surfperch.

(1) The special limit for shiner surfperch is 20, which may be taken or possessed in addition to the overall daily bag limit of 20 finfish defined in subsection 27.60(a) and the special limits defined in subsection 27.60(b).

(d) There is no limit on the following species: Albacore, anchovy, bluefin tuna, grunion, jacksmelt, topsmelt, Pacific butterfish (pompano), queenfish, sanddabs, skipjack, jack mackerel, Pacific mackerel, Pacific staghorn sculpin, round herring, Pacific herring and Pacific sardine. There is no limit on the following species of federal groundfish: petrale sole, Pacific sanddab, and starry flounder.

(e) Boat limit. When two or more persons that are licensed or otherwise authorized to sport fish in ocean waters off California or in the San Francisco Bay District, defined in Section 27.00, are angling for finfish aboard a vessel in these waters, fishing by all authorized persons aboard may continue until boat limits of those finfish identified under subsections (a) through (c) above are taken and possessed aboard the vessel as authorized under this section or Section 195, Title 14, CCR.

(1) The authorization for boat limits aboard a vessel does not apply to fishing trips originating in California where fish are taken in other jurisdictions.

(2) A boat limit for a species or species group identified in subsections (a) through (c) above is the number of persons aboard a vessel that are licensed or otherwise authorized to sport fish in ocean waters off California, or in waters of the San Francisco Bay District, (see special conditions of Section 195, Title 14, CCR, applicable to operator and crew members of vessels licensed pursuant to Fish and Game Code 7920.) multiplied by the individual daily bag limit authorized for a species or species group in those waters. With the exception of species listed in subsection (d) above, the total fish aboard a boat may not exceed the aggregate per-person daily bag limit of 20-finish in combination of all species times the number of anglers licensed or otherwise authorized to sport fish aboard the vessel. It is unlawful to exceed the boat limit at any time.

(3) All persons aboard a vessel may be cited where violations involving boat limits are found, including, but not limited to the following violations:

- (A) Over limits
 - (B) Possession of prohibited species
 - (C) Violation of size limits
 - (D) Fish taken out of season or in closed areas.
- (4) Upon completion of a fishing trip aboard a vessel, each licensed angler or person otherwise authorized to sport fish may not possess more than the individual daily bag and possession limits defined in Section 1.17, Title 14, CCR and in subsections (a) through (c) above. For purposes of this section, a trip is completed at the time a person disembarks from a vessel and individual possession limits apply. Special boat limit provisions apply to persons fishing aboard commercial passenger fishing vessels reporting pursuant to Section 195, Title 14, CCR.
- (5) Species or species groups for which no daily bag limit exists under subsection (d) above are not counted as part of a boat limit.

NOTE:

Authority cited: Sections 200, 202, 240, 7071 and 8587.1, Fish and Game Code.

Reference: Sections 205, 210, 7071 and 7120, Fish and Game Code.

Section 27.65, Title 14, CCR, is amended to read:

§Section 27.65. Filleting of Fish on Vessels.

- (a) Definition of Fillet: For the purpose of this section a fillet is the flesh from one side of a fish extending from the head to the tail which has been removed from the body (head, tail and backbone) in a single continuous piece.
- (b) Fish That May be Filleted: No person shall fillet on any boat or bring ashore as fillets any fish, except in accordance with the following requirements:
- (1) Kelp bass, sand bass, spotted bass, and ocean whitefish: All fillets shall be a minimum of six and one-half inches in length. Each fillet shall bear intact a one-inch square patch of skin.
 - (2) Barracuda: Fillets must be a minimum of 17 inches in length. Each fillet shall bear intact a one-inch square patch of silver skin.
 - (3) Lingcod. Lingcod fillets must be a minimum of 16 inches in length. Each fillet shall bear intact a one-inch square patch of skin. The minimum size and minimum fillet size for lingcod may be changed during the year or in-season by the department under the authority of subsection ~~27.82(e)~~. 27.20(e). The department will provide a news release notifying the public 10 days in advance of a change to the minimum size and minimum fillet size for lingcod made under the authority of subsection ~~27.82(e)~~. 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.
 - (4) White sea bass: Fillets must be a minimum of 19 inches in length. Each fillet shall bear intact a one-inch square patch of silver skin.
 - (5) Pacific bonito: No more than 10 fillets of any length may be possessed. All bonito fillets possessed shall be considered a part of the allowable undersized tolerance of five bonito per day less than 24 inches fork length or weighing less than five pounds

as provided in Section 28.32 of these regulations. All fillets shall bear intact a one-inch square patch of skin.

(6) California halibut taken from or possessed aboard a vessel south of Point Arena (Mendocino County): Fillets must be a minimum of 16 and three-quarter inches in length and shall bear the entire skin intact. A fillet from a California halibut (flesh from one entire side of the fish with the entire skin intact) may not be cut in half fillets. However, a fillet may be cut lengthwise in a straight line along the midline of the fillet where the fillet was attached to the vertebra (backbone) of the fish only if the two pieces of a fillet remain joined along their midline for a length of at least two inches at one end of the fillet.

(7) Yellowtail: Fillets must be a minimum of 17 inches in length, except not more than 10 fillets may be less than 17 inches. Each fillet shall bear intact a one-inch square patch of skin.

(8) Rockfish: Fillets must have the entire skin attached. Brown-skinned rockfish: Fillets shall be a minimum of six and one-half inches in length. Bocaccio fillets must be a minimum of five inches in length. The minimum size and minimum fillet size for rockfish may be changed during the year or in-season by the department under the authority of subsection ~~27.82(e)~~. 27.20(e). The department will provide a news release notifying the public 10 calendar days in advance of a change to the minimum size and minimum fillet size for rockfish made under the authority of subsection ~~27.82(e)~~. 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

(9) California scorpionfish (commonly termed "sculpin"): Fillets must be a minimum of 5 inches. Each fillet shall bear intact a one-inch square patch of skin. The minimum size and minimum fillet size for California scorpionfish may be changed during the year or in-season by the department under the authority of subsection ~~27.82(e)~~. 27.20(e). The department will provide a news release notifying the public 10 days in advance of a change to the minimum size and minimum fillet size for California scorpionfish made under the authority of subsection ~~27.82(e)~~. 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

(10) All other species except those listed in subsection (c) of this section: Each fillet shall bear intact a one-inch square patch of skin. The fillets may be of any size.

(c) Fish That May Not be Filleted: No person shall fillet on any boat or bring ashore as fillets the following fish: cabezon, kelp and rock greenlings, California halibut north of Point Arena (Mendocino County), and any species of flatfish, other than California halibut, including Pacific and Greenland halibut, tonguefish, sole, turbot, flounder, and sanddab, and salmon, striped bass and sturgeon.

NOTE:

Authority: Sections 200 and 202, Fish and Game Code. Reference: Sections 200, 202, 205, 206, 220, 240, 5508 and 5509, Fish and Game Code.

Section 27.67, Title 14, CCR is repealed:

~~§27.67. Transport of Recreational Fishing Vessel Through Areas Closed to Fishing. The department may authorize recreational vessels that have finfish in possession that were legally taken within a Rockfish and Lingcod Management Area defined in Section 27.82(a), Title 14, CCR, to transport those finfish through another Rockfish and Lingcod Management Area in which regulations governing the take and possession of those species are different. The permit described in this section is not required for vessels operating entirely within a Rockfish and Lingcod Management Area. Permission shall be granted on an annual permit signed by the Regional Manager of the department's Marine Region or an assigned designee. To apply for a permit, an owner or operator of a vessel required to obtain a commercial passenger fishing boat license, or a recreational angler shall submit an application for Permit Authorizing Transit of a Recreational Fishing Vessel Through Areas Closed to Fishing, and the fee for an annual permit or the fee for a permit for a period of 30 days or less as specified in Section 701. The permit shall be onboard the vessel when transiting waters closed to sport fishing.~~

~~Note: Authority cited: Sections 200, 202, 205, 7071, 7923 and 8587.1, Fish and Game Code. Reference: Sections 200, 202, 205, 7071, 7923, 8585.5 and 8587.1, Fish and Game Code.~~

Section 27.82, Title 14, CCR, is repealed:

~~§27.82. Groundfish Management Areas, Seasons, Depths, Exceptions, and Fishery Closure/Rule Change Process Described.~~

~~(a) Management areas and boundaries: Management areas and boundaries for all species of federal groundfish (as defined in Section 1.91 including rockfish, cabezon, lingcod, and California scorpionfish), greenlings of the genus Hexagrammos, California sheephead, and ocean whitefish are defined as follows:~~

- ~~(1) The Northern Rockfish and Lingcod Management Area means ocean waters between 42°00'N. lat. (the Oregon/California border) and 40°10'N. lat. (near Cape Mendocino, Humboldt County).~~
- ~~(2) The North-Central Rockfish and Lingcod Management Area means ocean waters between 40°10'N. lat. (near Cape Mendocino, Humboldt County) and 37°11'N. lat. (at Pigeon Point, San Mateo County).~~
- ~~(3) The Monterey South-Central Rockfish and Lingcod Management Area means ocean waters between 37°11'N. lat. (at Pigeon Point, San Mateo County) and 36°00'N. lat. (near Lopez Point, Monterey County).~~
- ~~(4) The Morro Bay South-Central Rockfish and Lingcod Management Area means ocean waters between 36°00'N. lat. (near Lopez Point, Monterey County) and 34°27'N. lat. (at Point Conception, Santa Barbara County).~~
- ~~(5) The Southern Rockfish and Lingcod Management Area means ocean waters between 34°27'N. lat. (at Point Conception, Santa Barbara County) and the U.S./Mexico border including the Cowcod Conservation Areas defined in subsection~~

~~(d) of this Section.~~

~~(b) Seasons and depth constraints: The seasons and water depths (as described by lines connecting waypoints adopted in Federal regulations (50 CFR Part 660), or by general depth contour lines) where fishing is authorized for all species of federal groundfish (as defined in Section 1.91 including rockfish, cabezon, lingcod, and California scorpionfish), greenlings of the genus Hexagrammos, California sheephead, and ocean whitefish are listed below for each Rockfish and Lingcod Management Area. Seasons and depth constraints may be changed during the year or in-season by the department under the authority of subsection 27.82(e). The department will provide a news release notifying the public 10 days in advance of a change to seasons and/or depth constraints for these species made under the authority of subsection 27.82(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office. See subsection (c) for exceptions to these season and depth constraints. See also Section 27.83 for restrictions on fishing gear that apply when seasons or areas are closed to groundfish fishing.~~

~~(1) Northern Rockfish and Lingcod Management Area:~~

~~(A) January-June and November-December: closed in all water depths.~~

~~(B) July-October: open only in waters less than 40 fathoms in depth as described by lines connecting waypoints adopted in Federal regulations (50 CFR Part 660).~~

~~(2) The North-Central Rockfish and Lingcod Management Area:~~

~~(A) January-June, and December: closed in all water depths.~~

~~(B) July-November: open only in waters less than 20 fathoms in depth as described by general depth contour lines.~~

~~(C) Waters less than 10 fathoms in depth as described by general depth contour lines around the Farallon Islands (off San Francisco and San Mateo counties), including Southeast Farallon Island, Middle Farallon Island, North Farallon Island and Noon Day Rock are closed to fishing at all times for all species of federal groundfish (as defined in Section 1.91 including rockfish, cabezon, lingcod, and California scorpionfish), greenlings of the genus Hexagrammos, California sheephead, and ocean whitefish.~~

~~(D) Waters of the Cordell Bank (off Marin County) less than 100 fathoms in depth as described by waypoints adopted in Federal regulations (50 CFR Part 660) are closed to fishing at all times for all species of federal groundfish (as defined in Section 1.91 including rockfish, cabezon, lingcod, and California scorpionfish), greenlings of the genus Hexagrammos, California sheephead, and ocean whitefish.~~

~~(3) The Monterey South-Central Rockfish and Lingcod Management Area:~~

~~(A) January-June, and December: closed in all water depths.~~

~~(B) July-November: open only in waters less than 20 fathoms in depth as described by general depth contour lines.~~

~~(4) The Morro Bay South-Central Rockfish and Lingcod Management Area:~~

~~(A) January-April, and October-December: closed in all water depths.~~

~~(B) May-September: open only in waters between 20 fathoms in depth as described by general depth contour lines and 40 fathoms in depth as described by waypoints adopted in Federal regulations (50 CFR Part 660).~~

- (5) Southern Rockfish and Lingcod Management Area:
- (A) January-February: closed in all water depths.
 - (B) March-June: open only in waters between 30 fathoms in depth as described by waypoints adopted in Federal regulations (50 CFR Part 660) and 60 fathoms in depth as described by waypoints adopted in Federal regulations (50 CFR Part 660) except that lingcod may not be taken or possessed in March at these depths.
 - (C) July-September: open only in waters less than 40 fathoms in depth as described by lines connecting waypoints adopted in Federal regulations (50 CFR Part 660).
 - (D) October-November: closed in all water depths.
 - (E) December: closed in all water depths.
 - (F) See subsection (d) for special depth regulations in Cowcod Conservation Areas.
- (c) Exceptions: The following are exceptions to the season and depth closures described in subsection (b) above:
- (1) In waters where fishing in specified depths is prohibited during an open season within the management area, all species of federal groundfish (as defined in Section 1.91 including rockfish, cabezon, lingcod, and California scorpionfish), greenlings of the genus *Hexagrammos*, California sheephead, and ocean whitefish may be possessed aboard vessels in transit with no fishing gear in the water.
 - (2) Other Flatfish managed under the Federal Pacific Coast Groundfish Fishery Management Plan (as defined in subsection 1.91(a)(10)) may be taken with the gear authorized under subsection 27.83(b)(4), and retained in accordance with authorized daily bag and possession limits defined in Section 27.60.
 - (3) During seasonal closures in management areas and in waters where fishing in specified depths is prohibited as described in subsection (b), when angling from shore (includes beaches, banks, piers, jetties, breakwaters, docks, and other man-made structures connected to the shore), all species of federal groundfish (as defined in Section 1.91 including rockfish, cabezon, lingcod, and California scorpionfish), greenlings of the genus *Hexagrammos*, California sheephead, and ocean whitefish may be taken and retained, except lingcod may not be taken under this provision in any area during the months of January, February, March and December. All fish must be taken in accordance with authorized daily bag and possession limits defined in Section 27.60, and in accordance with established size limits. No motorized or non-motorized watercraft may be used to assist in taking or retaining fish while operating under this provision.
 - (4) During seasonal closures in management areas and in waters where fishing in specified depths is prohibited pursuant to subsection (b), when diving and spearfishing (as authorized in Section 28.90), all species of federal groundfish (as defined in Section 1.91 including rockfish, cabezon, lingcod, and California scorpionfish), greenlings of the genus *Hexagrammos*, California sheephead, and ocean whitefish may be taken and retained, except lingcod may not be taken under this provision in any area during the months of January, February, March and December. All fish must be taken in accordance with authorized daily bag and possession limits defined in Section 27.60, and in accordance with established size limits. Except for spearfishing gear, all other types of fishing gear are prohibited to be aboard the vessel or non-motorized watercraft while spearfishing for the purpose of retaining groundfish and associated species as authorized by this subsection.

~~(5) Leopard shark may be taken and retained in the following bays: Humboldt Bay, Drakes Estero, San Diego Bay, Bolinas Bay, Tomales Bay, Bodega Harbor, San Francisco Bay, Elkhorn Slough, Newport Bay, Alamitos Bay, and Mission Bay. All leopard shark must be taken in accordance with authorized daily bag and possession limits defined in Section 27.60.~~

~~(d) Cowcod Conservation Areas (CCAs):~~

~~(1) Boundaries. Cowcod Conservation Areas (CCAs) for recreational fisheries means waters which are 20 fathoms in depth and deeper within each of the following two areas. Area 1 is an area south of Point Conception that is bound by straight lines connecting the following points in the order listed:~~

~~33°50'N. lat., 119°30'W. long.;~~

~~33°50'N. lat., 118°50'W. long.;~~

~~32°20'N. lat., 118°50'W. long.;~~

~~32°20'N. lat., 119°37'W. long.;~~

~~33°00'N. lat., 119°37'W. long.;~~

~~33°00'N. lat., 119°53'W. long.;~~

~~33°33'N. lat., 119°53'W. long.;~~

~~33°33'N. lat., 119°30'W. long.;~~

~~33°50'N. lat., 119°30'W. long.; and Area 2 is a smaller area west of San Diego that is bound by straight lines connecting the following points in the order listed:~~

~~32°42'N. lat., 118°02'W. long.;~~

~~32°42'N. lat., 117°50'W. long.;~~

~~32°36'42"N. lat., 117°50'W. long.;~~

~~32°30'N. lat., 117°53'30"W. long.;~~

~~32°30'N. lat., 118°02'W. long.;~~

~~32°42'N. lat., 118°02'W. long.;~~

~~(2) At no time may a species of federal groundfish (as defined in Section 1.91 including rockfish, cabezon, lingcod, and California scorpionfish), or greenlings of the genus Hexagrammos, California sheephead, or ocean whitefish be taken or possessed while fishing in the Cowcod Conservation Areas, except as follows:~~

~~(A) Federal groundfish that are other flatfish (as defined in subsection 1.91(a)(10)) and caught with the fishing gear authorized in subsection 27.83(b)(4) may be taken.~~

~~(B) Fishing for the following species is permitted in waters less than 20 fathoms during the open periods described in subsection (b)(5) above: nearshore rockfish (as defined in subsection 1.91(a)(1)), lingcod, cabezon, California scorpionfish, greenlings of the genus Hexagrammos, California sheephead, ocean whitefish, and sanddabs and federal groundfish that are other flatfish (as defined in subsection 1.91(a)(10)), and caught with the fishing gear authorized in subsection 27.83(b)(4).~~

~~(3) See Section 27.83 for restrictions on fishing gear within the Cowcod Conservation Areas.~~

~~(e) Fishery closure and/or rule change: When the department determines, based on the best available scientific information, that an annual harvest limit [optimum yield (OY), recreational harvest guideline, or recreational harvest target] established in regulation by the NOAA Fisheries (National Marine Fisheries Service) for lingcod, rockfish, a subgroup of rockfish, cabezon, and/or California scorpionfish has been exceeded or is projected to be exceeded prior to the end of the year or that catches~~

are less than predicted, the following rule changes may occur:

~~(1) The department may modify the seasons for all or part of the recreational fishery for lingcod, rockfish, a subgroup of rockfish, California scorpionfish, cabezon, greenlings of the genus *Hexagrammos*, California sheephead, ocean whitefish, and/or any federal groundfish (as defined in Section 1.91) in all or part of a groundfish management area, depending on the level of lingcod, rockfish, a subgroup of rockfish, cabezon, and/or California scorpionfish catch in each area, for part or all of the balance of the calendar year. Season modifications may differ by geographic location, mode of fishing, or gear utilized.~~

~~(2) The department may adjust existing bag or sub-bag limits or establish additional bag or sub-bag limits as needed for any species of federal groundfish (as defined in Section 1.91), for groups of rockfish, or for any combination of rockfish, lingcod, cabezon, greenlings of the genus *Hexagrammos*, California scorpionfish, California sheephead, and ocean whitefish. Bag limits may differ by geographic location, time of year, mode of fishing, or gear utilized.~~

~~(3) The department may adjust existing size limits or establish additional size limits as needed for any species of federal groundfish (as defined in Section 1.91 including rockfish, cabezon, lingcod, and California scorpionfish), greenlings of the genus *Hexagrammos*, California sheephead, and ocean whitefish. Size limits may differ by geographic location, time of year, mode of fishing, or gear utilized.~~

~~(f) Notice of closure and/or rule change: The department shall give the public and the National Marine Fisheries Service no less than 10 days notice of any fishery closure or rule change implemented pursuant to this Section via a department news release. Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.~~

NOTE:

Authority cited: Sections 200, 202, 7071 and 8587.1, Fish and Game Code.

Reference: Sections 205, 7071 and 8586, Fish and Game Code; and 50 C.F.R. 660.

Section 28.26, Title 14, CCR, is amended to read:

§28.26. California Sheephead.

~~(a) Open season and areas: See Section 27.82. areas, seasons, and depth constraints: See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:~~

~~(1) Northern Groundfish Management Area: Open May through December, in waters shallower than 30 fathoms.~~

~~(2) North-Central Groundfish Management Area: Open June through November, in waters shallower than 30 fathoms.~~

~~(3) Monterey South-Central Groundfish Management Area: Open May through November, in waters shallower than 40 fathoms.~~

~~(4) Morro Bay South-Central Groundfish Management Area: Open May through November, in waters shallower than 40 fathoms.~~

(5) Southern Groundfish Management Area: Open March through December, in waters shallower than 60 fathoms.

(6) Cowcod Conservation Areas: Open March through December, in waters shallower than 20 fathoms.

(b) Limit: Five.

(c) Minimum size: 12 inches total length.

(d) Fishing rules for California sheephead may be changed during the year or in-season by the department under the authority of subsection ~~27.82(e)~~. 27.20(e). The department will provide a news release notifying the public 10 calendar days in advance of a change for this species made under the authority of subsection ~~27.82(e)~~ 27.20(e) or Section 52.10. Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

NOTE:

Authority cited: Sections 200, 202, 7071 and 8587.1, Fish and Game Code.

Reference: Sections 205, 7071 and 8586, Fish and Game Code.

Section 28.27, Title 14, CCR, is amended to read:

§28.27. Lingcod.

(a) ~~Open Season and areas: See Section 27.82. areas, seasons, and depth constraints: See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:~~

(1) Northern Groundfish Management Area: Open May through November, in waters shallower than 30 fathoms.

(2) North-Central Groundfish Management Area: Open June through November, in waters shallower than 30 fathoms.

(3) Monterey South-Central Groundfish Management Area: Open May through November, in waters shallower than 40 fathoms.

(4) Morro Bay South-Central Groundfish Management Area: Open May through November, in waters shallower than 40 fathoms.

(5) Southern Groundfish Management Area: Open April through November, in waters shallower than 60 fathoms.

(6) Cowcod Conservation Areas: Open April through November, in waters shallower than 20 fathoms.

(b) Limit: Two.

(c) Minimum size: 24 inches total length.

(d) Method of take: Not more than two hooks and one line. For purposes of this section, a hook is a single hook, or double or treble hook with multiple points connected to a common shank.

(e) Fishing rules for lingcod may be changed during the year or in-season by the department under the authority of subsection ~~27.82(e)~~. 27.20(e). The department will provide a news release notifying the public 10 calendar days in advance of a change for this species made under the authority of subsection ~~27.82(e)~~. 27.20(e). Anglers

and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

NOTE:

Authority cited: Sections 200, 202, 220 and 8587.1, Fish and Game Code.

Reference: Sections 205 and 8586, Fish and Game Code; and 50 C.F.R. 660, Subpart G.

Section 28.28, Title 14, CCR, is amended to read:

§28.28. Cabezon.

(a) ~~Open season and areas: See Section 27.82. areas, seasons, and depth constraints: See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:~~

(1) Northern Groundfish Management Area: Open May through December, in waters shallower than 30 fathoms.

(2) North-Central Groundfish Management Area: Open June through November, in waters shallower than 30 fathoms.

(3) Monterey South-Central Groundfish Management Area: Open May through November, in waters shallower than 40 fathoms.

(4) Morro Bay South-Central Groundfish Management Area: Open May through November, in waters shallower than 40 fathoms.

(5) Southern Groundfish Management Area: Open March through December, in waters shallower than 60 fathoms.

(6) Cowcod Conservation Areas: Open March through December, in waters shallower than 20 fathoms.

(b) Limit: One fish, within a Rockfish, Cabezon, and Greenling complex (RCG complex, as defined in Section 1.91) bag limit of 10 fish.

(c) Minimum size: 15 inches total length.

(d) Fishing rules for cabezon may be changed during the year or in-season by the department under the authority of subsection ~~27.82(e)~~ 27.20(e) or Section 52.10. The department will provide a news release notifying the public 10 calendar days in advance of a change for this species made under the authority of subsection ~~27.82(e)~~ 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

NOTE:

Authority cited: Sections 200, 202, 7071 and 8587.1, Fish and Game Code.

Reference: Sections 205, 210, 7071 and 8586, Fish and Game Code; and 50 C.F.R. 660, Subpart G.

Section 28.29, Title 14, CCR, is amended to read:

§28.29. Kelp Greenling. Rock Greenling.

(a) ~~Open season and areas: See Section 27.82. areas, seasons, and depth constraints for greenlings of the genus *Hexagrammos* (including kelp and rock greenlings): See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:~~

(1) Northern Groundfish Management Area: Open May through December, in waters shallower than 30 fathoms.

(2) North-Central Groundfish Management Area: Open June through November, in waters shallower than 30 fathoms.

(3) Monterey South-Central Groundfish Management Area: Open May through November, in waters shallower than 40 fathoms.

(4) Morro Bay South-Central Groundfish Management Area: Open May through November, in waters shallower than 40 fathoms.

(5) Southern Groundfish Management Area: Open March through December, in waters shallower than 60 fathoms.

(6) Cowcod Conservation Areas: Open March through December, in waters shallower than 20 fathoms.

(b) Limit: For greenlings of the genus *Hexagrammos*, within a Rockfish, Cabezon, and Greenling complex (RCG complex, as defined in Section 1.91) bag limit of 10 fish, ~~one~~ two fish.

(c) Minimum size: 12 inches total length.

(d) ~~Fishing rules for kelp and rock greenlings~~ greenlings of the genus *Hexagrammos* may be changed during the year or in-season by the department under the authority of subsection ~~27.82(e)~~ 27.20(e) or Section 52.10. The department will provide a news release notifying the public 10 calendar days in advance of a change for these species made under the authority of subsection ~~27.82(e)~~ 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

NOTE:

Authority cited: Sections 200, 202, 7071 and 8587.1, Fish and Game Code.

Reference: Sections 205, 210, 7071 and 8586, Fish and Game Code; and 50 C.F.R. 660, Subpart G.

Section 28.48, Title 14, CCR, is added to read:

§28.48. Pacific Sanddab, Rock Sole, Sand Sole, Butter Sole, Curlfin Sole, Rex Sole, and Flathead Sole.

Pacific sanddab, rock sole, sand sole, butter sole, curlfin sole, rex sole, and flathead sole are federal groundfish, as defined in Section 1.91, and thus are subject to special regulations as follows. These species are also known in the aggregate as "other flatfish" pursuant to subsection 1.91(a)(10). Regulations of this Section do not apply to other species of sanddabs, flounders, or sole.

(a) Open areas, seasons, and depth constraints: See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:

(1) Northern Groundfish Management Area: Open year-round, except gear restrictions apply as follows:

(A) January through April – In all depths, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.

(B) May through December - In waters deeper than 30 fathoms, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.

(2) North-Central Groundfish Management Area: Open year-round, except gear restrictions apply as follows:

(A) January through May – In all depths, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.

(B) June through November - In waters deeper than 30 fathoms, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.

(C) December – In all depths, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.

(3) Monterey South-Central Groundfish Management Area: Open year-round, except gear restrictions apply as follows:

(A) January through April – In all depths, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.

(B) May through November - In waters deeper than 40 fathoms, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.

(C) December – In all depths, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.

(4) Morro Bay South-Central Groundfish Management Area: Open year-round, except gear restrictions apply as follows:

(A) January through April – In all depths, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.

(B) May through November - In waters deeper than 40 fathoms, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.

(C) December – In all depths, anglers are limited to not more than 12 No. 2 or smaller

hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.

(5) Southern Groundfish Management Area: Open year-round, except gear restrictions apply as follows:

(A) January and February – In all depths, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.

(B) March through December - In waters deeper than 60 fathoms, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.

(6) Cowcod Conservation Areas: Open year-round, except gear restrictions apply as follows:

(A) January and February – In all depths, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.

(B) March through December - In waters deeper than 20 fathoms, anglers are limited to not more than 12 No. 2 or smaller hooks and up to 2 pounds of weight. A No. 2 hook means a fishing hook with a gap not greater than 7/16 inch between the hook point and the shank.

(b) Fishing rules for Pacific sanddab, rock sole, sand sole, butter sole, curlfin sole, rex sole, and flathead sole may be changed during the year or in-season by the department under the authority of subsection 27.20(e). The department will provide a news release notifying the public 10 calendar days in advance of a change for these species made under the authority of subsection 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

(c) Limit: There is no limit on Pacific sanddab. The general bag limit of not more than 20 finfish in combination of all species with not more than 10 of any one species applies to rock sole, sand sole, butter sole, curlfin sole, rex sole, and flathead sole.

NOTE:

Authority cited: Sections 200, 202, and 205, Fish and Game Code. Reference: Sections 200, 202 and 205, Fish and Game Code, and 50 CFR Part 660, Subpart G.

Section 28.49, Title 14, CCR, is added to read:

§28.49. Dover Sole, English Sole, Petrale Sole, Arrowtooth Flounder, and Starry Flounder.

Dover sole, English sole, Petrale sole, arrowtooth flounder and starry flounder are federal groundfish, as defined in Section 1.91, and thus are subject to special regulations as follows. Regulations of this Section do not apply to other species of flounders or sole.

(a) Open areas, seasons, and depth constraints: See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is

authorized as follows:

(1) Northern Groundfish Management Area: Open May through December, in waters shallower than 30 fathoms.

(2) North-Central Groundfish Management Area: Open June through November, in waters shallower than 30 fathoms.

(3) Monterey South-Central Groundfish Management Area: Open May through November, in waters shallower than 40 fathoms.

(4) Morro Bay South-Central Groundfish Management Area: Open May through November, in waters shallower than 40 fathoms.

(5) Southern Groundfish Management Area: Open March through December, in waters shallower than 60 fathoms.

(6) Cowcod Conservation Areas: Closed.

(b) Fishing rules for Dover sole, English sole, Petrale sole, arrowtooth flounder and starry flounder may be changed during the year or in-season by the department under the authority of subsection 27.20(e). The department will provide a news release notifying the public 10 calendar days in advance of a change for these species made under the authority of subsection 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

(c) Limit: There is no limit on Petrale sole or starry flounder. The general bag limit of not more than 20 finfish in combination of all species with not more than 10 of any one species applies to Dover sole, English sole, and arrowtooth flounder.

NOTE:

Authority cited: Sections 200, 202, and 205, Fish and Game Code. Reference: Sections 200, 202 and 205, Fish and Game Code, and 50 CFR Part 660, Subpart G.

Section 28.51, Title 14, CCR, is added to read:

§28.51. Spiny Dogfish, Soupfin Shark.

Spiny dogfish and soupfin shark are federal groundfish, as defined in Section 1.91, and thus are subject to special regulations as follows.

(a) Open areas, seasons, and depth constraints: See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:

(1) Northern Groundfish Management Area: Open May through December, in waters shallower than 30 fathoms.

(2) North-Central Groundfish Management Area: Open June through November, in waters shallower than 30 fathoms.

(3) Monterey South-Central Groundfish Management Area: Open May through November, in waters shallower than 40 fathoms.

(4) Morro Bay South-Central Groundfish Management Area: Open May through November, in waters shallower than 40 fathoms.

(5) Southern Groundfish Management Area: Open March through December, in waters shallower than 60 fathoms.

(6) Cowcod Conservation Areas: Closed.

(b) Fishing rules for spiny dogfish and soupfin shark may be changed during the year or in-season by the department under the authority of subsection 27.20(e). The department will provide a news release notifying the public 10 calendar days in advance of a change for these species made under the authority of subsection 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

(c) Limit: Soupfin shark - one. The general bag limit of not more than 20 finfish in combination of all species with not more than 10 of any one species applies to spiny dogfish.

NOTE:

Authority cited: Sections 200, 202, and 205, Fish and Game Code. Reference: Sections 200, 202 and 205, Fish and Game Code, and 50 CFR Part 660, Subpart G.

Section 28.52, Title 14, CCR, is added to read:

§28.52. Big skates, California skates, and Longnose skates.

Big skates, California skates, and longnose skates are federal groundfish, as defined in Section 1.91, and thus are subject to special regulations as follows. Regulations in this Section do not apply to other skate species.

(a) Open areas, seasons, and depth constraints: See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:

(1) Northern Groundfish Management Area: Open May through December, in waters shallower than 30 fathoms.

(2) North-Central Groundfish Management Area: Open June through November, in waters shallower than 30 fathoms.

(3) Monterey South-Central Groundfish Management Area: Open May through November, in waters shallower than 40 fathoms.

(4) Morro Bay South-Central Groundfish Management Area: Open May through November, in waters shallower than 40 fathoms.

(5) Southern Groundfish Management Area: Open March through December, in waters shallower than 60 fathoms.

(6) Cowcod Conservation Areas: Closed.

(b) Fishing rules for big skates, California skates, and longnose skates may be changed during the year or in-season by the department under the authority of subsection 27.20(e). The department will provide a news release notifying the public 10 calendar days in advance of a change for these species made under the authority of subsection 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

(c) Limit: The general bag limit of not more than 20 finfish in combination of all

species with not more than 10 of any one species applies to big skates, California skates, and longnose skates.

NOTE:

Authority cited: Sections 200, 202, and 205, Fish and Game Code. Reference: Sections 200, 202 and 205, Fish and Game Code, and 50 CFR Part 660, Subpart G.

Section 28.53, Title 14, CCR, is added to read:

§28.53. Ratfish, Rattails and Codlings.

Ratfish, Pacific rattail and finescale codling are federal groundfish, as defined in Section 1.91, and thus are subject to special regulations as follows. Regulations in this Section do not apply to other rattail or codling species.

(a) Open areas, seasons, and depth constraints: See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:

(1) Northern Groundfish Management Area: Open May through December, in waters shallower than 30 fathoms.

(2) North-Central Groundfish Management Area: Open June through November, in waters shallower than 30 fathoms.

(3) Monterey South-Central Groundfish Management Area: Open May through November, in waters shallower than 40 fathoms.

(4) Morro Bay South-Central Groundfish Management Area: Open May through November, in waters shallower than 40 fathoms.

(5) Southern Groundfish Management Area: Open March through December, in waters shallower than 60 fathoms.

(6) Cowcod Conservation Areas: Closed.

(b) Fishing rules for ratfish, Pacific rattail and finescale codling may be changed during the year or in-season by the department under the authority of subsection 27.20(e). The department will provide a news release notifying the public 10 calendar days in advance of a change for these species made under the authority of subsection 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

(c) Limit: The general bag limit of not more than 20 finfish in combination of all species with not more than 10 of any one species applies to ratfish, Pacific rattail and finescale codling.

NOTE:

Authority cited: Sections 200, 202, and 205, Fish and Game Code. Reference: Sections 200, 202 and 205, Fish and Game Code, and 50 CFR Part 660, Subpart G.

Section 28.54, Title 14, CCR, is amended to read:

§28.54. California Scorpionfish (Sculpin).

(a) ~~Open season and areas: See Section 27.82. areas, seasons, and depth constraints: See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:~~

(1) Northern Groundfish Management Area: Open May through December, in waters shallower than 30 fathoms.

(2) North-Central Groundfish Management Area: Open June through November, in waters shallower than 30 fathoms.

(3) Monterey South-Central Groundfish Management Area: Open May through November, in waters shallower than 40 fathoms.

(4) Morro Bay South-Central Groundfish Management Area: Open May through November, in waters shallower than 40 fathoms.

(5) Southern Groundfish Management Area: Open January and February in waters shallower than 40 fathoms, and March through December in waters shallower than 60 fathoms.

(6) Cowcod Conservation Areas: Open January through December, in waters shallower than 20 fathoms.

(b) Limit: Five.

(c) Minimum size: 10 inches total length.

(d) Fishing rules for California scorpionfish may be changed during the year or in-season by the department under the authority of subsection ~~27.82(e)~~. 27.20(e). The department will provide a news release notifying the public 10 calendar days in advance of a change for this species made under the authority of subsection ~~27.82(e)~~. 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

NOTE:

Authority cited: Sections 200, 202, 7071 and 8587.1, Fish and Game Code.

Reference: Sections 205, 210, 220, 7071 and 8586, Fish and Game Code; and 50 C.F.R. 660, Subpart G.

Section 28.55, Title 14, CCR, is amended to read:

§28.55. Rockfish (Sebastes).

(a) ~~Open season and areas: See Section 27.82. areas, seasons, and depth constraints: See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:~~

(1) Northern Groundfish Management Area: Open May through December, in waters shallower than 30 fathoms.

(2) North-Central Groundfish Management Area: Open June through November, in waters shallower than 30 fathoms.

(3) Monterey South-Central Groundfish Management Area: Open May through

November, in waters shallower than 40 fathoms.

(4) Morro Bay South-Central Groundfish Management Area: Open May through November, in waters shallower than 40 fathoms.

(5) Southern Groundfish Management Area: Open March through December, in waters shallower than 60 fathoms.

(6) Cowcod Conservation Areas: Open March through December, in waters shallower than 20 fathoms, except that only Nearshore Rockfish, as defined in subsection 1.91(a)(1) may be taken and possessed.

(b) Limit: Ten, within the Rockfish, Cabezon, and Greenling complex (RCG complex, as defined in Section 1.91) bag limit of 10 fish, in any combination of species, except as provided below. ~~bocaccio—one fish in the North-Central, Monterey South-Central, Morro Bay South-Central, and Southern Rockfish and Lingcod Management Areas (as defined in Section 27.82(a)) and two fish in the Northern Rockfish and Lingcod Management Area (as defined in Section 27.82(a)), canary rockfish—zero fish, cowcod—zero fish, and yelloweye rockfish—zero fish.~~

(1) The limit on canary rockfish, cowcod, and yelloweye rockfish is zero. These species shall not be taken or possessed as part of the RCG limit.

(2) In the Northern Groundfish Management Area (see Section 27.25), the limit on bocaccio rockfish is two fish, within the RCG limit.

(3) In the North-Central, Monterey South-Central, Morro Bay South-Central, and Southern Groundfish Management Areas (see sections 27.30 through 27.45), the limit on bocaccio rockfish is one fish, within the RCG limit.

(4) In the Cowcod Conservation Areas (see Section 27.50), the limit on bocaccio and other shelf and slope rockfish, as defined in subsections 1.91(a)(3) and 1.91(a)(4), is zero. These species shall not be taken or possessed as part of the RCG limit in this Management Area.

(c) Size limit: None, except no bocaccio may be taken or possessed that is less than 10 inches in total length.

(d) Method of take: Not more than two hooks and one line. For purposes of this section, a hook is a single hook, or a double or treble hook with multiple points connected to a common shank.

(e) Fishing rules for rockfish may be changed during the year or in-season by the department under the authority of subsection ~~27.82(e).~~ 27.20(e). The department will provide a news release notifying the public 10 calendar days in advance of a change for these species made under the authority of ~~subsection 27.82(e).~~ 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

NOTE:

Authority cited: Sections 200, 202, 215, 220, 7071 and 8587.1, Fish and Game Code.

Reference: Sections 205, 215, 220, 7071 and 8585.5, Fish and Game Code.

Section 28.56, Title 14, CCR, is amended to read:

§28.56. Leopard Shark.

(a) ~~Open season and areas: See Section 27.82; subsection 27.82(c)(5) provides for fishing in the following enclosed bays during federal groundfish season and depth closures: Humboldt Bay, Drakes Estero, San Diego Bay, Bolinas Bay, Tomales Bay, Bodega Harbor, San Francisco Bay, Elkhorn Slough, Newport Bay, Alamitos Bay, and Mission Bay.~~ areas, seasons, and depth constraints: See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:

(1) Northern Groundfish Management Area: Open May through December, in waters shallower than 30 fathoms, except that take and possession is authorized year-round in Humboldt Bay.

(2) North-Central Groundfish Management Area: Open June through November, in waters shallower than 30 fathoms, except that take and possession is authorized year-round in Drake's Estero Bay, Bolinas Bay, Tomales Bay, Bodega Harbor, and San Francisco Bay.

(3) Monterey South-Central Groundfish Management Area: Open May through November, in waters shallower than 40 fathoms, except that take and possession is authorized year-round in Elkhorn Slough.

(4) Morro Bay South-Central Groundfish Management Area: Open May through November, in waters shallower than 40 fathoms.

(5) Southern Groundfish Management Area: Open March through December, in waters shallower than 60 fathoms, except that take and possession is authorized year-round in Newport Bay, Alamitos Bay, Mission Bay, and San Diego Bay.

(6) Cowcod Conservation Areas: Open March through December, in waters shallower than 20 fathoms.

(b) Limit: three.

(c) Minimum size: 36 inches total length.

(d) Fishing rules for leopard shark may be changed during the year or in-season by the department under the authority of ~~subsection 27.82(e).~~ 27.20(e). The department will provide a news release notifying the public 10 calendar days in advance of a change for this species made under the authority of ~~subsection 27.82(e).~~ 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

NOTE:

Authority cited: Sections 200, 202, 205 and 210, Fish and Game Code. Reference: Sections 200, 202, 205, 206 and 210, Fish and Game Code.

Section 28.57, Title 14, CCR, is added to read:

§28.57. Pacific cod, Pacific whiting, sablefish, and thornyheads.

Pacific cod, Pacific whiting, sablefish, longspine thornyhead, and shortspine

thornyhead are federal groundfish, as defined in Section 1.91, and thus are subject to special regulations as follows.

(a) Open areas, seasons, and depth constraints: See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:

(1) Northern Groundfish Management Area: Open May through December, in waters shallower than 30 fathoms.

(2) North-Central Groundfish Management Area: Open June through November, in waters shallower than 30 fathoms.

(3) Monterey South-Central Groundfish Management Area: Open May through November, in waters shallower than 40 fathoms.

(4) Morro Bay South-Central Groundfish Management Area: Open May through November, in waters shallower than 40 fathoms.

(5) Southern Groundfish Management Area: Open March through December, in waters shallower than 60 fathoms.

(6) Cowcod Conservation Areas: Closed.

(b) Fishing rules for Pacific cod, Pacific whiting, sablefish, longspine thornyhead, and shortspine thornyhead may be changed during the year or in-season by the department under the authority of subsection 27.20(e). The department will provide a news release notifying the public 10 calendar days in advance of a change for these species made under the authority of subsection 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

(c) Limit: The general bag limit of not more than 20 finfish in combination of all species with not more than 10 of any one species applies to Pacific cod, Pacific whiting, sablefish, longspine thornyhead, and shortspine thornyhead.

NOTE:

Authority cited: Sections 200, 202, and 205, Fish and Game Code. Reference: Sections 200, 202 and 205, Fish and Game Code, and 50 CFR Part 660, Subpart G.

Section 28.58, Title 14, CCR, is amended to read:

§28.58. Ocean Whitefish.

(a) Open Season and areas: See Section 27.82. areas, seasons, and depth constraints: See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:

(1) Northern Groundfish Management Area: Open May through December, in waters shallower than 30 fathoms.

(2) North-Central Groundfish Management Area: Open June through November, in waters shallower than 30 fathoms.

(3) Monterey South-Central Groundfish Management Area: Open May through November, in waters shallower than 40 fathoms.

(4) Morro Bay South-Central Groundfish Management Area: Open May through November, in waters shallower than 40 fathoms.

(5) Southern Groundfish Management Area: Open March through December, in waters shallower than 60 fathoms.

(6) Cowcod Conservation Areas: Open March through December, in waters shallower than 20 fathoms.

(b) Fishing rules for ocean whitefish may be changed during the year or in-season by the department under the authority of subsection ~~27.82(e)~~. 27.20(e). The department will provide a news release notifying the public 10 calendar days in advance of a change for this species made under the authority of subsection ~~27.82(e)~~. 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/mrd/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

(c) Limit: The general bag limit of not more than 20 finfish in combination of all species with not more than 10 of any one species applies to ocean whitefish.

NOTE:

Authority cited: Sections 200, 202, 205, 210, 215 and 220, Fish and Game Code.

Reference: Sections 200, 202, 205, 206, 215 and 220, Fish and Game Code.

Section 28.90, Title 14, CCR, is amended to read:

§28.90. Diving, Spearfishing.

Persons who are floating or swimming in the water may use spearfishing gear and skin or SCUBA diving equipment to take fin fish other than giant (black) sea bass, garibaldi, gulf grouper, broomtail grouper, trout, salmon, striped bass or broadbill, except that:

(a) No person may possess or use a spear within 100 yards of the mouth of any stream in any ocean waters north of Ventura County.

(b) When spearfishing for or in possession of federal groundfish or associated species as authorized ~~under authority of Section 27.82(c)(4)~~, pursuant to subsections 27.25(c)(4), 27.30(c)(4), 27.35(c)(4), 27.40(c)(3), 27.45(c)(4) or 27.50(c)(3), in an area or during a season closed to the take of these species, no fishing gear except spearfishing gear may be aboard the vessel or ~~non-motorized~~ watercraft.

NOTE:

Authority cited: Sections 200, 202, 7071 and 8587.1, Fish and Game Code.

Reference: Sections 205, 7071 and 8586, Fish and Game Code; and 50 C.F.R. 660, Subpart G.

Section 701, Title 14, CCR, is amended to read:

§701. Sport Fishing Forms and Fees.

(a) Declaration for Multi-Day Fishing Trip (FG 935 (rev. 06/05) incorporated by reference herein) \$ 4.50

~~(b) Permit Authorizing Transit of a Recreational Fishing Vessel Through Areas Closed to Fishing (Annual) (FG 672 (rev. 07/05), incorporated~~

by reference herein) _____ \$32.00
(c) ~~Permit Authorizing Transit of a Recreational Fishing Vessel Through Areas
Closed to Fishing (30 Days or less) (FG 672 (rev. 07/05), incorporated
by reference herein)~~ _____ \$ 8.00
(d)(b) 2006 Salmon Punch Card _____ \$ 1.50
(e)(c) Pursuant to the provisions of Section 699, Title 14, the department shall
annually adjust the fees of all licenses, stamps, permits, tags, or other entitlement
required by regulations set forth in this section.

NOTE:

Authority cited: Sections 200, 202, 205, 220, 713, 1050 and 7380 Fish and Game
Code. Reference: Sections 200, 202, 205, 206, 220, 713, 1050, 1055 and 7380, Fish
and Game Code.